

**Notice of Allowability**

Application No.

09/757,338

Applicant(s)

FABRY, MICHAEL

Examiner

Walter F. Briney III

Art Unit

2615

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 08 June 2006.
2. ☒ The allowed claim(s) is/are 1, 2, 5, 6 and 8-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

6. (currently amended) In a vehicle comprising a first passenger location and a second passenger location, said first passenger location situated forward of said second passenger location, a method for operating an audio system having at least a center, left, ~~[[right]]~~ right, left surround, and right surround audio channel signal, the method comprising:

transmitting a combination of only the center, left or right and left surround or right surround audio channel signals to a first electroacoustical transducer situated adjacent to a first side of said vehicle and behind said first passenger location;

and transmitting only said left or right audio channel signal to a second electroacoustical transducer situated adjacent to the first side of said vehicle and forward of said first electroacoustical transducer.

### ***Drawings***

The drawings were received on 08 June 2006. These drawings are accepted by the examiner.

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

**1. Claims 1, 2, 5, 6 and 8-12 are allowed.**

**Claim 1** is limited to "an audio system for a vehicle." The claim has been amended to recite that "a center audio channel signal source" is provided that is specifically mixed in with both a left and left surround directional audio signal. This mixed signal is presented to a first electroacoustical transducer while the left directional audio signal is provided on its own to a second electroacoustical transducer. The cited prior art simply fails to teach or suggest mixing the three above noted signals to a single speaker, while also mixing a left signal to a second speaker. Thus, claim 1 is allowable over the cited prior art.

**Claims 2 and 5** are limited in part to "an audio system in accordance with claim 1," and thus, are allowable over the cited prior art for at least the same reasons.

**Claim 6** is limited to "in a vehicle...a method for operating an audio system." Like claim 1, this claim has been amended to recite a specific mix of center, left and left surround directional audio signals to a first electroacoustic transducer that is not disclosed in the prior art along with the mixing of a single left signal to a second electroacoustic transducer. Thus, claim 6 is allowable over the cited prior art.

**Claims 8 and 9** are limited in part to "a method for operating an audio system in accordance with claim 6," and thus, are allowable over the cited prior art for at least the same reasons.

**Claim 10** is limited to “an audio system for a vehicle.” This claim recites essentially the same apparatus as claim 1, and thus, is allowable over the cited prior art for at least the same reasons.

**Claim 11** is limited to “in a vehicle... a method for operating an audio system.” This claim recites essentially the same apparatus as claim 6, and thus, is allowable over the cited prior art for at least the same reasons.

**Claim 12** is limited in part to “the method of claim 11,” and thus, is allowable over the cited prior art for at least the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F. Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WFB

  
**SINH TRAN**  
**SUPERVISORY PATENT EXAMINER**